

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN DOE, JOHN DOE, SR. and  
JANE DOE,

Plaintiffs

v.

FATHER ERIC ENSEY, ET AL.,

Defendants

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No. 3: CV 02-0444  
(Judge Jones)

**ORDER**

**October 21, 2004**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

This Court received Defendants', Father Eric Ensey, Father Carlos Urrutigoity, and the Society of St. John's, Brief in Reply to Plaintiff's Motion for Expedited Consideration of Motion for Supplemental Discovery Order Regarding Canadian Records (doc. 129). In that Reply, Defendant Fr. Ensey indicated that he had filed for bankruptcy with the United States Bankruptcy Court for the Middle District of Pennsylvania. Attached to the Brief was a bankruptcy "face sheet," indicating to this Court that Fr. Ensey did indeed file a Chapter 13 Bankruptcy. Following the receipt of this Reply Brief, this Court scheduled a conference call for October 20, 2004.

Title 11, of the United States Code, § 362(a) states:

Except as provided in subsection (b) of this section, a petition filed under section 301, 302, or 303 of this title, or an application filed under section 5(a)(3) of the Securities Investor Protection Act of 1970, operates as a stay, applicable to all entities, of -

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title;...

Accordingly, this Court has no alternative but to stay this case in its entirety until an order issues lifting the automatic stay, or until such point that Fr. Ensey's bankruptcy proceedings are concluded.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Paragraphs two (2) and three (3) of this Court's October 5, 2004 Order (doc. 128) are VACATED.
2. This matter is STAYED in all respects pending a further order from this Court.

s/ John E. Jones III  
John E. Jones III  
United States District Judge